

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-second Legislature Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 365

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO EMERGENCY COMMUNICATIONS; AMENDING SECTION 31-4815, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT EMERGENCY COMMUNICATIONS COMMITTEE BOARD MEMBERS; AMENDING SECTION 46-1207, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO CONCUR WITH THE STATEWIDE INTEROPERABILITY EXECUTIVE COUNCIL'S CREATION OF ADMINISTRATIVE POSITIONS; AMENDING SECTION 46-1209, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT THE CHAIRMAN; AMENDING SECTION 46-1211, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO SELECT CERTAIN BOARD MEMBERS; AND AMENDING SECTION 46-1212, IDAHO CODE, TO AUTHORIZE THE ADJUTANT GENERAL TO APPROVE OF AND SELECT A REPLACEMENT FOR CERTAIN BOARD MEMBERS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 31-4815, Idaho Code, be, and the same is hereby amended to read as follows:

31-4815. CREATION OF IDAHO EMERGENCY COMMUNICATIONS COMMISSION -- TERMS. (1) There is hereby created in the military division an Idaho emergency communications commission (hereinafter referred to as "the commission") for the purpose of assisting cities, counties, ambulance districts and fire districts in the establishment, management, operations and accountability of consolidated emergency communications systems. Notwithstanding any other provision of law to the contrary, the commission shall, upon being constituted, exercise its powers and duties in accordance with the provisions of this section relative to consolidated emergency communications in this state established by enactment of the legislature or by private act.

(2) The commission shall be composed of thirteen (13) voting members, with eleven (11) ~~appointed~~ selected by the ~~governor~~ adjutant general as follows: one (1) member representing the association of Idaho cities, one (1) member representing the Idaho association of counties, one (1) member representing the Idaho sheriffs' association, one (1) member representing the Idaho chiefs of police association, one (1) member representing the Idaho fire chiefs association, one (1) member representing the Idaho prosecuting attorneys association, one (1) member representing the Idaho state emergency medical services communications center, one (1) member representing the Idaho emergency medical services association, one (1) member representing the public at large and two (2) members representing private industry service providers, one (1) from the wireless industry and one (1) from the traditional phone service industry. The commission shall also include the director of the Idaho state police or a designated representative and the adjutant general or a designated representative. One (1) representative of the attorney general shall serve as a nonvoting ex officio member.

(3) Except as provided in this subsection, members of the commission shall be appointed for a term of four (4) years. The following five (5) members shall be appointed to an initial term of two (2) years: the member representing the Idaho fire chiefs association, the member representing the Idaho state emergency medical services communications center, the member representing the Idaho emergency medical services association, the member representing the wireless industry, and one (1) member representing the public. The remaining six (6) members appointed by the ~~governor~~ adjutant general shall be appointed for an initial term of four (4) years. Thereafter, all terms shall be for a period of four (4) years.

(4) The commission shall elect a chair and such officers as it may deem necessary and appropriate. The commission shall meet at least annually and at the call of the chair. Members of the commission shall be compensated as provided in section 59-509(b), Idaho Code. Compensation shall be paid from the emergency communications fund created in section 31-4818, Idaho Code.

SECTION 2. That Section 46-1207, Idaho Code, be, and the same is hereby amended to read as follows:

46-1207. ADMINISTRATIVE SUPPORT. The council may, with concurrence of the ~~governor of the state of Idaho~~ adjutant general, create the position of an operations manager and the position of an administrative assistant, which positions shall be exempt from the requirements of the merit system, chapter 53, title 67, Idaho Code. In accordance with the laws of the state, the adjutant general may hire, fix the compensation and prescribe the powers and duties of such other individuals, including consultants, as may be necessary to carry out the provisions of this chapter.

SECTION 3. That Section 46-1209, Idaho Code, be, and the same is hereby amended to read as follows:

46-1209. CHAIR AND VICE-CHAIR. The ~~governor~~ adjutant general shall ~~appoint~~ select a chair and the council shall elect a vice-chair and other such officers as it may deem necessary and appropriate. The chair has authority and is responsible for all affairs of the council.

SECTION 4. That Section 46-1211, Idaho Code, be, and the same is hereby amended to read as follows:

46-1211. COUNCIL MEMBERS. (1) The council members shall be ~~appointed by the governor~~ selected by the adjutant general and shall include at a minimum the representatives of the following organizations:

- (a) One (1) representative from the Idaho transportation department;
- (b) One (1) representative from the Idaho sheriffs' association;
- (c) One (1) representative from the Idaho chiefs of police association;
- (d) One (1) representative from the Idaho fire chiefs association;
- (e) One (1) representative from the association of Idaho cities;
- (f) One (1) representative from the Idaho association of counties;
- (g) One (1) representative from the bureau of homeland security;
- (h) One (1) representative from the Idaho department of correction;
- (i) One (1) representative from the Idaho state police;

- 1 (j) One (1) representative from the Idaho department of lands;
- 2 (k) One (1) representative from the Idaho department of fish and game;
- 3 (l) One (1) representative from the Idaho department of health and wel-
- 4 fare;
- 5 (m) One (1) representative from Idaho tribal government;
- 6 (n) Two (2) members at large; and
- 7 (o) One (1) representative from each of the six (6) district interoper-
- 8 able governance boards (DIGBs).
- 9 (2) Additional voting members will be invited in the following capaci-
- 10 ties:
- 11 (a) One (1) liaison from federal law enforcement;
- 12 (b) One (1) liaison from the United States department of the interior.

13 SECTION 5. That Section 46-1212, Idaho Code, be, and the same is hereby  
 14 amended to read as follows:

15 46-1212. COUNCIL MEMBER TERMS. (1) Except as provided in this section,  
 16 members of the council will be appointed for a term of four (4) years.

17 (2) Members of the council shall be compensated as provided in section  
 18 59-509(b), Idaho Code.

19 (3) New members may be added or members replaced at annual, special  
 20 or regular council meetings with approval from the ~~office of the governor~~  
 21 ~~for the state of Idaho~~ adjutant general. Upon resignation of a member, the  
 22 ~~governor~~ adjutant general may ~~appoint~~ select a replacement for the remainder  
 23 of the vacated term.